

NATURE OF CHARGE: Adulteration, Section 501 (a) (4), the article contained, for purposes of coloring only, a coal-tar color, dimethylaminoazobenzene, known as Butter Yellow (Colour Index 19), which had not been listed for use in drugs in accordance with the regulations and was other than one from a batch that had been certified in accordance with the regulations.

Misbranding, Section 502 (a), the label statement, "Green Food Color," was false and misleading since it represented and suggested that the article contained a color which was fit for use in coloring foods, whereas the article contained dimethylaminoazobenzene, a noncertified dye which is unfit for use in foods; and, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; in fact, the label bore no statement of the quantity of the contents.

DISPOSITION: July 10, 1945. A plea of guilty having been entered on behalf of the defendant; the court imposed a fine of \$100.

1634. Misbranding of Manna Arabian Tea. U. S. v. Charles W. Nichols. Plea of guilty. Sentence suspended and defendant placed on probation for 2 years. (F. D. C. No. 15528. Sample Nos. 61270-F, 75927-F.)

INFORMATION FILED: June 22, 1945, Southern District of Ohio, against Charles W. Nichols, Cambridge, Ohio.

ALLEGED SHIPMENT: On or about July 25 and August 16, 1944, from the State of Ohio into the States of Louisiana and West Virginia.

PRODUCT: Examination of samples showed that the product consisted of the ground leaves and stems of alfalfa.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars entitled "A Treatise on Health" and "Diabetes—its Cause and Cure," in a leaflet entitled "Directions," and in a certain testimonial sheet, enclosed in the packages containing the article, were false and misleading since they represented and suggested that the article would be efficacious to feed the liver first and put it back to work; that it would cause the proper amount of bile to be manufactured; that it would be efficacious to improve the general health; that it would cause acid and gas to cease; that it would purify the blood through the kidneys; that it would be efficacious in the cure, mitigation, treatment, and prevention of constipation, indigestion, ulcers of the stomach, colon, and bladder, neuritis, arthritis, rheumatism, high and low blood pressure, anemia, liver troubles, kidney ailments, excessive fat, underweight, colds, nervousness, heart trouble, colitis, and impaired sight; that use of the article would enable a person to "live to be 100 years old"; that it would be an adequate treatment for colds and flu; that it would break up colds and flu in 24 hours; that it would cure diabetes when used in conjunction with vinegar and saltpeter; that it would be efficacious to reconstruct and build up the body of the diabetic; and that use of the article would correct nutritional deficiencies and balance nutrition. The article would not be efficacious for the purposes represented.

DISPOSITION: June 27, 1945. A plea of guilty having been entered, the court suspended sentence and placed the defendant on probation for 2 years.

1635. Misbranding of Concentra. U. S. v. 120 Packages and 13 Packages of Concentra, and a number of circulars. Default decrees of condemnation and destruction. (F. D. C. Nos. 15803, 16084. Sample Nos. 13445-H, 13449-H, 14609-H.)

LIBELS FILED: March 26 and May 5, 1945, Eastern District of Michigan and Northern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of January 29 and April 2, 1945, by Jean Ferrell, Inc., from Chicago, Ill.

PRODUCT: 120 packages of *Concentra* and 5,000 circulars entitled, "Concentra. A Scientifically Compounded Formula Of Vegetables, Fruits And Roots," at Detroit, Mich., and 13 packages of the product and 50 circulars at Toledo, Ohio. Examination showed that the product consisted essentially of powdered plant material, including a laxative drug such as rhubarb root.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying circulars were false and misleading since they represented and suggested that the article would supply something of nutritional value to the body, and that it would be effective in the treatment of kidney and bladder trouble, rheumatism, spastic colon, overweight, a tired and worn-out feeling, neuritis, goiter, sore and stiff joints, constipation, headaches, arthritis, bad

eyes, loss of hair, underweight, intestinal flu, diabetes, sinus trouble, bad acid conditions, and many diseases resulting from the accumulation of waste materials and toxic poisons in the system. The article, which was essentially a laxative, would not supply anything of significant nutritional value to the body, and it would not be effective for the purposes claimed.

DISPOSITION: June 4 and 6, 1945. No claimant having appeared, judgments of condemnation were entered and the product and circulars were ordered destroyed.

1636. Misbranding of Sulf Liquid Sulphur. U. S. v. 999 Cases of Sulf Liquid Sulphur. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15759. Sample No. 17506-H.)

LIBEL FILED: On or about May 11, 1945, Northern District of Illinois; amended libel filed on or about May 16, 1945.

ALLEGED SHIPMENT: On or about February 19, 1945, by the Sulco Products Corp., from Detroit, Mich.

PRODUCT: 999 cases, each containing 1 dozen bottles, of *Sulf Liquid Sulphur* at Chicago, Ill. Examination showed that the product consisted essentially of calcium sulfide, thiosulfate, and sulfate dissolved in water. This combination is ordinarily known as "Solution of Sulfurated Lime."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle label, on accompanying display cards entitled "Relax with Sulf Liquid Sulphur," and in accompanying circulars entitled "Now . . . You Can Take A Mineral Bath in Your Own Home," were false and misleading since they represented and suggested that the article was liquid sulfur, or consisted of free and uncombined sulfur; that it would be effective in the relief of rheumatism, arthritis, gout, sciatica, and skin afflictions; that it would be effective to stimulate circulation, revitalize the body, insure a deep, refreshing sleep; and that it would bring into the home the benefits which may be derived from the course of treatments provided by the sanatoriums conducted at natural mineral springs. The article was not liquid sulfur; it did not consist of free and uncombined sulfur; and it was not effective for the purposes stated and implied.

Further misbranding Section 502 (e) (1), the label failed to bear the common or usual name of the article, "Solution of Sulfurated Lime."

DISPOSITION: May 18, 1945. The Sulco Products Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

1637. Misbranding of Dr. Charles Northen's Minerals and B Vitamins and Dr. Charles Northen's Minerals. U. S. v. 31 Bottles of Minerals and B Vitamins, 16 Bottles of Minerals, and 900 Folders. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15730. Sample Nos. 27534-H, 27535-H.)

LIBEL FILED: March 27, 1945, District of Oregon.

ALLEGED SHIPMENT: *Minerals and vitamins*, between the approximate dates of January 8 and February 6, 1945, by Colloidal Products, from Tampa, Fla.; folders, in the summer of 1944 and in January 1945, by the same firm.

PRODUCT: 17 60-capsule bottles and 14 180-capsule bottles of *Northen's Minerals and B Vitamins*, and 11 180-capsule bottles and 5 360-capsule bottles of *Northen's Minerals* at Portland, Oreg., together with 500 folders entitled "Dr. Charles Northen's Minerals Vitamins" and 400 pink and buff folders entitled "Startling Facts."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 7907, in which are set forth the false and misleading statements referred to above.

DISPOSITION: May 9, 1945. G. E. Short, Portland, Oreg., claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the products be released under bond, conditioned upon the segregation and destruction of the folders.